IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Writ Petition No.6703 of 2006

Tulsi Tower Coop Hsg Soceity ..Petitioner
Vs
Jyotsna Construction Pvt Ltd and Ors. .. Respondents.

Ms Sumedha Rao for the petitioner.
Mr. Vineet Naik i/b Ms Manisha R Kapadia
for respondent No 1

CORAM: H.S. BEDI, C.J., &
V.M. KANADE, J.
DATE: OCTOBER 11, 2006.

P.C.:-

We have heard the learned counsel for the parties.

Affidavit in reply on behalf of respondent No.2 has been filed today in court. Paragraph 4 of the affidavit reveals that the interim relief has been refused to the petitioner, though a dispute under section 91 of the Maharashtra Cooperative Societies Act, 1960 is pending before the 4th Cooperative Court, Bombay. In this view of the matter we direct the concerned Cooperative Court to take a decision in the matter within a period of three months from today.

We make it clear that in case of an adverse order the petitioner will be at liberty to challenge the same by initiating

proceedings before the appropriate forum in accordance with law.

Petition is accordingly disposed of.

CHIEF JUSTICE

V.M.KANADE J.